

**Delaware Department of Education
Charter School Closing Procedures
Feb 2013**

After a vote by the State Board of Education (SBE) to deny renewal, or to revoke, the charter of a Charter School (School); or a vote by a School's Board of Directors (Board) to voluntarily surrender its charter, the Board of the school is responsible for ensuring the completion of the items listed in these Closing Procedures in cooperation with the Delaware Department of Education (DOE). For a state authorized school, all documents are to be submitted to the Charter Schools Office (CSO) of the DOE.

<u>Item</u>	<u>Action</u>	<u>Due Date</u>	<u>Status</u>
	<i>Ongoing after the closure decision until the last day of instruction:</i>		
1	Continue current instructional program as specified in the School's charter.		
	<i>Ongoing as necessary to wind up School affairs</i>		
2	Continue to submit all required reports to DOE. Maintain student data in eSchoolPlus		
3	Submit minutes to DOE for all Board meetings within 3 business days of each meeting.	PRN	
4	Maintain necessary insurance coverage to protect the School's assets until closure is finalized.		
	<i>As soon as possible, the Board must:</i>		
5	Send an updated list of all current Board members to DOE, including name, contact address, telephone number, and email address.		
6	Designate a School contact person to send/receive communication from DOE regarding closure . Provide contact information to DOE, including name, affiliation with school, contact address, telephone number, and email address.		
7	Institute a requirement for board approval of transactions above \$2,500.00 in a single transaction or of a cumulative \$2,500.00 in expenditures to a single vendor.		
8	Schedule a public community meeting, in coordination with DOE , to which all School stakeholders, including parents, students, teachers, partners, are invited, to provide clear information about the School's current operating status. DOE representative(s) may be present.		
9	Elect by a vote of the Board, a Board member or committee, who will be responsible for:		
	(a) providing contact information to DOE including affiliation with school, contact address, telephone number, and email address.		

<u>Item</u>	<u>Action</u>	<u>Due Date</u>	<u>Status</u>
	(b) ensuring that Closing Procedures are completed, especially after School employees have been discharged.		
	(c) securing school records pending transfer to DOE. School records shall include, but not be limited to, finance, payroll, personnel, contracts, vendor payments, purchase orders, payment vouchers, evidence of years of experience, evidence of participation in mentoring program.		
	(d) securing student records (transcripts) pending transfer to DOE. Student records shall include, but not be limited to, cumulative folder, evaluations, Individual Education Plan folder, Individual Improvement Plan, health records, attendance records, end of year grades, assessment results from Delaware Student Testing Program,		
	(e) signing off on all transactions, transfers of records, and disposition of assets, to be evidenced by written receipt.		
	(f) providing a certified physical inventory of all assets to DOE. Such inventory shall include, but not be limited to, all furniture, fixtures, equipment, movable property, technology, instructional supplies and materials, library collection, band uniforms and equipment, sports uniforms and equipment, kitchen equipment and servery, hand tools, vehicles, grounds keeping supplies and equipment, office equipment, copy paper, medical supplies and equipment, supplies and consumables to include fuel in tank, if applicable.		
	(g) providing DOE with assurance that the school has have adequately safeguarded the facility, its assets and contents, and at a minimum provide DOE with a listing of who has physical access to facility outside school hours (key holders). DOE recommends that keys be collected or card access be restricted to those with a critical need.		
10	Providing DOE assurance that sufficient reserve funds have been set aside to meet the remaining financial obligations at the end of instruction.		
11	Provide written notification regarding the impending closure to:		
	(a) students/parents/guardians . Such notification shall include, but not be limited to:		
	(i) date of the last day of regular instruction according to the School's published calendar for the year or as defined in the School's charter;		
	(ii) cancellation of any planned summer programs;		
	(iii) information for parents that enrollment of children in the public school of their district of residence or in a private school is mandatory under state law, for children ages 5 to 16 inclusive.		

Item	Action	Due Date	Status
	(iv) encouragement for parents to enroll their children as soon as possible so that receiving schools have the opportunity to obtain student records, and to provide appropriate services and materials.		
	(v) the single point of contact for the enrollment office of the public school district for the student's district of residence;		
	(vi) before the end of instruction, an offer to provide copies of the student records and a final report card and specific information regarding how to access student records after School closure.		
	(b) all employees. Such notification shall include, but not be limited to the		
	(i) date of the last day of regular instruction according to the School's published calendar for the year or as defined in the School's charter;		
	(ii) information regarding the date of termination of employment and/or contracts and benefits		
	(iii) Continuation of Benefits notices		
	(c) sending district of residence for each student. Make contact with the administrator in each district who handles enrollment		
	(d) all debtors, creditors, parties to contracts, and funding sources. Such notification shall include the amount due to/from the School and indicate the need to negotiate a settlement of debts, if applicable.		
	(e) Provide to the DOE a copy of each of these notices, a list of names/addresses of recipients, and proof that notifications were sent.		
	At least 30 calendar days from school closure:		
12	DOE will provide school with monthly statement of <i>financial position</i> , to include accrued payroll obligations. The school will certify that the statement is correct, or explain why it is not accurate and should be changed.		
13	<i>Advertise</i> in a paper in general circulation in the county(ies) from which the charter school draws students, that the school is closing and any obligations. Vendors, contract holders, outstanding debts, liens, claims against the closing school are to contact the school prior to closure		
14	<i>Grants report</i> indicating the anticipated use of all funds received through federal and state grants, including a plan to return funds as appropriate for grant projects/programs that will be terminated or not completed. The school cannot use these funds for costs related to closure.		

<u>Item</u>	<u>Action</u>	<u>Due Date</u>	<u>Status</u>
15	On a monthly basis, the Board will provide written assurance that it has maintained sufficient funds to satisfy:		
	(a) <i>payment of instructional staff</i> to ensure completion of the school's instructional program (including an itemized schedule of current and projected payroll and payroll benefit payments, including payout of any accrued summer salaries.)		
	(b) all <i>outstanding liabilities</i> including but not limited to all contracts/leases and payoff of all debts.		
	(c) payment of any costs associated with <i>transition of students and records</i> ;		
	(d) costs for a complete <i>close-out financial audit</i> ;		
	(e) all other <i>known costs</i> associated with closure.		
16	Engage by a vote of the Board, an independent auditor , subject to DOE approval, selected in consultation with the Auditor of Accounts, to conduct a final close-out audit of the School. Submit a copy of the engagement letter and an estimated timeline for the start and completion of the audit.		
17	Submit a student records transition plan , to DOE and districts where students reside, to include		
	(a) the name(s) and contact information for the person(s) responsible for completion of student transcripts, including insertion of final grades;		
	(b) the name(s) and contact information for the person(s) responsible for transition of student records and for providing assistance to students and parents in transferring from the charter school to the public or private school chosen		
	(c) details about where records will be transferred or stored prior to transfer to DOE		
	(d) Notification of parents/ guardians and districts of residence of the availability of student records upon request. Transfer as many student records as possible to receiving schools or districts, upon request. Transfer remainder of student records to DOE.		
	(e) In the event student records are requested by an out-of-state or non-public school, send copies of student record. The cumulative file will be transferred to the DOE, in archivable condition.		
	(d) a timeline for the completion of this transfer.		
	(e) In disposition of each student file, a record of the chain of custody must be maintained, which will include the name, state ID, and DOB of the child, the type of file being transferred, the date, time, and signature of the person relinquishing the record and the person accepting the record. This record is to take the form of individually numbered hand receipts.		
18	Provide DOE copies of all contracts and other contingent financial liabilities and their termination documents.		

<u>Item</u>	<u>Action</u>	<u>Due Date</u>	<u>Status</u>
19	Take appropriate action to terminate any contracts/leases and any other obligations of the school that extend beyond the closure date, including those related to summer instruction.		
20	Make arrangements with Department of Labor (1) to help employees with unemployment forms; and (2) to have workshops on resumes, interviewing. Make arrangements with DOE to do one-on-one consults to ensure all data is correct in DEEDS.		
21	Arrange for statewide benefits personnel to explain continuation of benefits for employees.		
22	Prepare vested pension, pension, or schedules of creditable service forms for each employee.		
23	Submit a plan for the disposition of all assets owned by the charter School, including plans to give first priority for equipment and supplies to other public schools and then to non-profit organizations. Existing insurance coverage should be maintained on the assets until disposal or transfer of deed. The School may not dispose of any fixed assets.		
24	In the event that liabilities exceed assets, the DOE or the district charter Schools administrator must be made aware of any negotiated settlements.		
	Prior to finalization of closure		
25	Submit all required final reports, including but not limited to:		
	(a) End of Year enrollment report (ADA/ADM)		
	(b) Discipline Summary		
	(f) Nurse's Summary		
	(i) CS Annual		
	(j) Close-out independent financial audit.		
	(k) How the Board ultimately disposed of assets and resolved any outstanding obligations.		
26	Notify DOE of any remaining funds after the settling of final accounts and the disposition of all assets.		
27	Provide to each employee a printed record of accumulated sick leave.		

	DOE RESPONSIBILITIES		Responsible Party
1	Notify leadership in executive branch.		
2	Notify OMB, Controller General, Legislature, Auditor of Accounts		
3	Notify DOE staff (PIO statement)		
4	Initiate weekly review of automated financial statement. Continue until school is closed and assets are liquidated.		
5	Verify summer payroll (ACR)		
6	Verify accuracy of inventory		
7	Who in DOE owns the students?		
8	Verify proper disposition of property.		
9	Reconcile student list. Account for every child.		
10	Distribute leftover funds to districts of residence; pro rata share in direct proportion to the number of students in the charter during the fiscal year of closing.		